

103^D CONGRESS
2^D SESSION

S. 1905

To improve the processing of benefits claims by the Department of Veterans Affairs.

IN THE SENATE OF THE UNITED STATES

MARCH 8 (legislative day, FEBRUARY 22), 1994

Mr. ROCKEFELLER (for himself, Mr. DECONCINI, Mr. GRAHAM, Mr. AKAKA, Mr. DASCHLE, and Mr. CAMPBELL) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To improve the processing of benefits claims by the Department of Veterans Affairs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIMINATION OF REQUIREMENT FOR ANNUAL**
4 **INCOME QUESTIONNAIRES.**

5 Section 1506 of title 38, United States Code, is
6 amended—

7 (1) in paragraph (2), by striking out “shall”
8 and inserting in lieu thereof “may”; and

1 (2) in paragraph (3), by striking out “file a re-
2 vised report” and inserting in lieu thereof “notify
3 the Secretary”.

4 **SEC. 2. STATEMENTS TO BE ACCEPTED AS PROOF OF RELA-**
5 **TIONSHIPS.**

6 Notwithstanding any other provision of law, the Sec-
7 retary of Veterans Affairs shall accept the written state-
8 ment of a claimant as proof of the existence of a marriage,
9 the dissolution of a marriage, the birth of a child, or the
10 death of any family member for the purpose of acting on
11 such individual’s claim for benefits under any law adminis-
12 tered by the Secretary. The Secretary may require the
13 submission of documentation in support of such statement
14 if the statement on its face raises a question as to its
15 validity.

16 **SEC. 3. ACCEPTANCE OF PRIVATE PHYSICIAN EXAMINA-**
17 **TIONS.**

18 Notwithstanding any other provision of law, for pur-
19 poses of establishing a claim for disability compensation
20 under chapter 11 of title 38, United States Code, or a
21 claim for pension under chapter 15 of such title, a medical
22 examination report of a private physician provided by a
23 claimant in support of a claim for benefits shall be accept-
24 ed without confirmation by an examination by a physician
25 employed by the Veterans Health Administration if such

1 report contains sufficient clinical data to support the diag-
2 nosis of a disability or to provide a reliable basis for an
3 evaluation of the degree of any such disability.

4 **SEC. 4. TRANSFER OF MILITARY SERVICE MEDICAL**
5 **RECORDS.**

6 Not later than 90 days after the date of the enact-
7 ment of this Act, the Secretary of Veterans Affairs shall
8 submit to the Committees on Veterans' Affairs of the Sen-
9 ate and House of Representatives a report setting forth
10 the status of an agreement between the Secretary and the
11 Secretary of Defense to provide for the immediate transfer
12 from the Department of Defense to the Department of
13 Veterans Affairs of the medical records of members of the
14 Armed Forces upon the separation of such members from
15 active duty.

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